

## REMARKS

### **Response to Claim Objections:**

Item 1, on Page 2, objects to claims 4-7 under 37 C.F.R. § 1.75(c) as being in improper form due to improper multiple dependency. In response to the Examiner's objections, Claims 3-7 have been amended to remove the multiple dependency.

### **Response to Claim Rejections –35 U.S.C. § 112**

Item 2, on Page 2, rejects claims 1-3 and 8 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the Applicants' Invention. In response to the Examiner's rejections, Applicants have amended Claims 1-6 and 8 have been amended to clarify the scope of the transitional phrase.

### **Response to Claim Rejections -35 U.S.C. § 102 and 35 U.S.C. § 103**

In Item 4, spanning Pages 2 and 3, the Examiner rejects Claims 1-3 and 8, under 35 U.S.C. § 102(b) in view of U.S. Patent No. 4,199,364 to Neely (henceforth, "the Neely Patent"). In response, the Applicant's have amended claim 1 to recite that the yarn is formed of a composition that is essentially free of lithium. Support for this recitation is found on Page 3, lines 12-13 and TABLE 1.

The Neely Patent discloses a glass composition including lithium. See for example the Abstract and Column 3, Lines 55-63:

SiO <sub>2</sub>	55-61
Al <sub>2</sub> O <sub>3</sub>	12-18
MgO	4-10
CaO	14-18
Na <sub>2</sub> O	0.1-1.5
Li <sub>2</sub> O	0.1-1.5
BaO	0.0-1.0

The Neely patent uses lithium as a flux which decrease the glass viscosity, and lowers the softening point. Lithium has several drawbacks, as discussed on Page 5 (Lines 6-8), specifically lithium is a high cost material and reduces hydrolytic resistance of the glass fibers.

The Neely Patent does not show or suggest a glass yarn or composition with the composition taught and claimed by Applicants. In view of the above, Applicants submit that the present invention is not anticipated by, or obvious over, the Neely Patent, and respectfully request that the Examiner withdraw this rejection.

In Item 5, on Page 3, the Examiner rejects Claims 1-3 and 8, under 35 U.S.C. § 102(b) in view of U.S. Patent Application No. 2001/0011058 to Tamura (henceforth, "the Tamura Publication"). In response, the Applicant's have amended claim 1 to recite that the yarn is formed of a composition having 13-14.9% percent by weight CaO. CaO is used to adjust the viscosity of the glass melt and to inhibit devitrification. Support for this recitation is found in TABLE 1.

The Tamura Publication does not show or suggest a glass yarn or composition with the composition taught and claimed by Applicants. In view of the above, Applicants submit that the present invention not anticipated by, or obvious over, the Tamura Publication, and respectfully request that the Examiner withdraw this rejection.

In Item 7, spanning Pages 3 and 4, the Examiner provisionally rejects claims 1-3 and 8 under the judicially created doctrine of obviousness-type double patenting in view of copending U.S. Patent Application Serial No. 11/722,039. The Examiner states that the conflicting claims are not identical but that the claims of the two Applications have overlapping ranges. Applicants submit that the claims of the instant application, as amended, are patentably distinct from the claims of the 11/722,039 Application, and respectfully request that the Examiner withdraw this rejection.

In Item 8, on Page 4, the Examiner provisionally rejects claims 1-3 and 8 under the judicially created doctrine of obviousness-type double patenting in view of the Tamura Publication. Applicants submit that the claims of the instant application, as amended, are patentably distinct from the claims of the Tamura Publication, and respectfully request that the Examiner withdraw this rejection.

### CONCLUSION

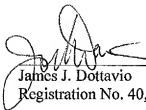
In light of the above Amendments and Remarks, Applicants believe that this application is now in condition for allowance and therefore request favorable consideration.

If any points remain in issue, which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

If necessary, the Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 50-0568 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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